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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,003	09/25/2003	Seong-Sik Choi	6192.0181.C1	6233
7590	06/28/2005		EXAMINER	
McGuire Woods, LLP 1750 Tysons Boulevard Suite 1800 McLean, VA 22102			SAWHNEY, HARGOBIND S	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

28

Office Action Summary	Application No. 10/670,003	Applicant(s) CHOI, SEONG-SIK	
	Examiner Hargobind S. Sawhney	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The reply under 37 CFR §1.111 filed on April 14, 2005 has been entered.

According to the above-indicated reply from the applicant, and the preliminary amendment filed on September 25, 2003 with the application:

- Claims 1-27 have been cancelled; and
- New claims 28-48 have been added.

2. This non-final office action provides examination of claims 28-48 added through the preliminary amendment indicated above.

Double Patenting

3. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Omum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

4. Claims 28-46 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1-11 of U. S. Patent No.

6,626,550 B2. Although the conflicting claims are not identical, they are not patentably distinct from each other because of the subject matter discussed below.

Art Unit: 2875

The subject matter claimed in the instant application is fully disclosed in the patent and is covered by the patent since the patent and the application are claiming common subject matter, as follows:

Instant Application No. 10,670,003	U. S. Patent No. 6,626,550 B2 (‘550 B2)	Discussion on differences, and additional References:
Claims 28-31	Claims 7 and 8	<p>Claim 7, lines 1-7, of (‘550 B2) meets the limitations of Claim 28 of the instant application;</p> <p>Claim 8, lines 1-6, of (‘550 B2) meets the limitations of claims 29-31 of the instant application;</p>
Claims 30 & 32	Claim 9	<p>Claim 9, lines 1-6, of (‘550 B2) meets the limitations of claims 30 and 32 of the instant application.</p>
Claims 33 & 34	Claims 7 and 11	<p>Claim 11, lines 1 and 2 of (‘550 B2) meets the limitations recited in lines 1-4, 7 and 8 of Claim 33 of the instant application; and</p> <p>Claim 7, lines 1-7, of (‘550 B2) meets the limitations recited in lines 5 and 6 of Claim 33 of the instant application;</p> <p>Regarding Claim 34, the claim 11 recites the light projection being rectangular obviously having two- the second and third sides – parallel and spaced at a distance from each other.</p> <p>It would be have been obvious to one of ordinary skill in the art at the time of the invention to modify the light guide assembly by positioning a light source closure to the third side of the light guide projection, since it has been held That rearranging parts of an invention involves only routine skill in the art.</p>

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Instant Application No. 10,670,003	U. S. Patent No. 6,626,550 B2 (‘550 B2)	Discussion on differences, and additional References:
Claim 35	Claims 7, 10 & 11	Claim 10, lines 9-12, of (‘550 B2) meets the limitations of Claim 35, dependent on claim 33, of the instant application.
Claims 28-30, 33, 36 and 38	Claims 1 and 5	Claim 1, lines 1-14 of (‘550 B2) meets the limitations of claims 28-30, 33 and 38. In addition, Claim 5, dependent on Claim 1 of the (‘550 B2) meets the limitations of Claim 36 of the instant application.
Claims 28-30, 33 and 37	Claim 1 and 4	Claim 1, lines 1-14 of (‘550 B2) meets the limitations of claims 28-30 and 33 of the instant application. In addition, Claim 5, dependent on Claim 1 of (‘550 B2) meets the limitations of Claim 37 of the instant application.
Claims 39-41	Claims 1-3	Claim 1, lines 1-6, of (‘550 B2) meets the limitations recited in lines 1-3 and 6 of Claim 39 of the instant application. Claim 3, dependent on claim 2, of (‘550 B2) meets the limitations recited in lines 4 and 5 of Claim 39 of the instant application. Claim 1, lines 17-19, of (‘550 B2) meets the limitations of Claim 40 of the instant application. Claim 1, lines 7-14, of (‘550 B2) meets the limitations of Claim 41 of the instant application.
Claims 42	Claims 1-3	Claim 1, lines 9-14, of (‘550 B2) meets the limitations recited in lines 1-6 of Claim 42 of the instant application. Claim 3, lines 1-4, of (‘550 B2) meets the limitations recited in lines 7 and 8 of Claim 42 of the instant application.

Art Unit: 2875

Instant Application No. 10,670,003	U. S. Patent No. 6,626,550 B2 (‘550 B2)	Discussion on differences, and additional References:
Claim 43	Claim 1	Claim 1, lines 11-14, of (‘550 B2) meets the limitations of Claim 43 of the instant application.
Claim 44	Claims 1 and 2	Claim 2 of (‘550 B2) meets the limitations of Claim 44 of the instant application.
Claims 45 & 46	Claims 1, 5 & 6	Claims 5 and 6 of (‘550 B2) meets the limitations of claims 45 and 46 respectively of the instant application.

It would be have been obvious to one of ordinary skill in the art at the time of the invention to meet the limitations of claims 28-46 of the instant application with the structural limitations included in claims 1-11 of U. S. Patent No. 6,626,550 B2 in the manner indicated above.

5. Claims 47 and 48 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 12 and 13 of U.S. Patent No.: 6,626,550 B2 (‘550 B2) in view of Miwa (US Patent No.: 6,512,557 B1).

Regarding claims 47 and 48, US patent (‘550 B2) discloses a backlight unit including a light guide panel claiming:

- a reflection sheet disposed under the light guide plate (Claim 13, line 3);
- a diffusion sheet disposed on the light guide plate (Claim 13, line 6);
- a prism sheet disposed on the diffusion sheet (Claim 13, line 9); and
- a protecting sheet disposed on the prism sheet (Claim 13, line 12).

However, (‘550 B2) does not teach each of the reflection sheet, diffusion sheet and prism sheet having an extended portion substantially the same as that of the light

guide projection to be received in a
groove of the frame.

On the other hand, Miwa ('557 B1) discloses a liquid crystal display device
(Figures 2 and 3) comprising:

- a light guide panel 8 including a projection 13 (Figures 2 and 3, column 7, lines 1 and 2);
- a reflection sheet 9, a diffusion sheet 5 and a prism sheet 7 each positioned relative to the light guide 8 in the manner as claimed by the applicant (Figures 2 and 3, column 6, lined 56-59);
- each of the reflection sheet 9, diffusion sheet 5 and prism sheet 7 having an extended portion 13 substantially the same as that of the light guide projection to be received in the groove of the frame groove 14 (Figures 2 and 3, column).

It would be have been obvious to one of ordinary skill in the art at the time of the invention to modify the light guide plate of ('550 B2) by providing the reflection sheet, diffusion sheet and prism sheet each with the projection as taught by Miwa ('557 B1) for the benefits of a structurally strong light guide well protected against impact and oscillation.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 28 and 39 are rejected under 35 U.S.C. 102(b) as being anticipated by Kokawa et al. (US Patent No.; 5,596,429).

Regarding Claim 28, Kokawa ('429) discloses a light guide panel (Figure 25A) comprising:

- a panel 83 having an upper surface, a lower surface and a side surface 3d (Figure 25 A); a projection protruded from the side surface 83d of the panel 83 (Figure 25A); the projection being thinner than the panel (Figure 25A).

Regarding Claim 39, Kokawa ('429) discloses a back light assembly unit (Figures 25A and 25B) comprising:

- a mold frame 91 (Figure 25B, column 15, lines 40-45) having a groove 91a; a light guide panel 83 a projection protruded from the side surface 83d of the panel 83 (Figure 25A); the projection being thinner than the panel (Figure 25A); the projection received in the groove 91a (Figure 25B, column 15, lines 40-45).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kim (U.S. Patent No. 6,490,015 B2

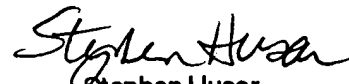
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hargobind S. Sawhney whose telephone number is 571 272 2380. The examiner can normally be reached on 6:15 - 2:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571 272 2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HSS

6/20/2005


Stephen Husar
Primary Examiner